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GA4/3635

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PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

21

Application Number

09/395,106

Filing Date

September 14, 1999

First Named Inventor

Westhoff et al.

Group Art Unit

3635

Examiner Name

Phi Dieu Tran A

Attorney Docket Number

POL-PT010.1

### ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

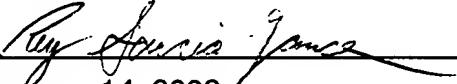
- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

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FEB 19 2002

GROUP 3600

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	RUY M. GARCIA-ZAMOR Volpe and Koenig, P.C.	Reg. No. 44,117
Signature		
Date	January 14, 2002	

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

January 14, 2002

Typed or printed name	RUY M. GARCIA-ZAMOR		
Signature		Date	January 14, 2002

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**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)  
**0**

Complete if Known	
Application Number	09/395,106
Filing Date	September 14, 1999
First Named Inventor	Westhoff et al.
Examiner Name	Phi Dieu Tran A
Group Art Unit	3635
Attorney Docket No.	POL-PT010.1

**METHOD OF PAYMENT**

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **22-0493**  
Deposit Account Name **VOLPE AND KOENIG, P.C.**

Charge any Deficiencies or Credit any Overpayment in the Total Fees Associated With This Communication

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:  
 Check     Credit card     Money Order     Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201 370 Utility filing fee	
106	330	206 165 Design filing fee	
107	510	207 255 Plant filing fee	
108	740	208 370 Reissue filing fee	
114	160	214 80 Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>		<b>0</b>	

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
20	- 44** = 0	X 9	= 0
Independent Claims	4 - 11** = 0	X 42	= 0
Multiple Dependent		0	= 0

**Large Entity Small Entity**

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	84	209 42 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		<b>0</b>

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****RECEIVED**

3. ADDITIONAL FEES	Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65	Surcharge - late filing fee or oath	
127	50	227 25	Surcharge - late provision filing fee or cover sheet	
139	130	139 130	Non-English specification	
147	2,520	147 2,520	For filing a request for ex parte reexamination	
112	920*	112 920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115	110	215 55	Extension for reply within first month	
116	400	216 200	Extension for reply within second month	
117	920	217 460	Extension for reply within third month	
118	1,440	218 720	Extension for reply within fourth month	
128	1,960	228 980	Extension for reply within fifth month	
119	320	219 160	Notice of Appeal	
120	320	220 160	Filing a brief in support of an appeal	
121	280	221 140	Request for oral hearing	
138	1,510	138 1,510	Petition to institute a public use proceeding	
140	110	240 55	Petition to revive - unavoidable	
141	1,280	241 640	Petition to revive - unintentional	
142	1,280	242 640	Utility issue fee (or reissue)	
143	460	243 230	Design issue fee	
144	620	244 310	Plant issue fee	
122	130	122 130	Petitions to the Commissioner	
123	50	123 50	Processing fee under 37 CFR 1.17(q)	
126	180	126 180	Submission of Information Disclosure Stmt	
581	40	581 40	Recording each patent assignment per property (times number of properties)	
146	740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370	Request for Continued Examination (RCE)	
169	900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____				
*Reduced by Basic Filing Fee Paid			<b>SUBTOTAL (3) (\$)</b>	<b>0</b>

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Ruy M. Garcia-Zamor, Esquire	Registration No. (Attorney/Agent)	44,117	Telephone 215-568-6400
Signature		Date	January 14, 2002	

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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YON

PATENT

2/25/02

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In the **PATENT APPLICATION** of:

Westhoff et al.

**Application No.:** 09/395,106

**Filed:** September 14, 1999

For: MANHOLE INSERT FOR MANUFACTURE  
OF A CAST MEMBER AND TO PROVIDE A  
STEP INSERT HAVING INCREASED  
STRUCTURAL AND HOLDING STRENGTH

Group: 3635

Examiner: Phi Dieu Tran A

Our File: POL-PT010.1

Date: January 14, 2002

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FEB 19 2002

**GROUP 3600**

**AMENDMENT PURSUANT TO 37 C.F.R. §1.111**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Amendment is respectfully submitted in response to the Office Action, dated October 12, 2001 (Paper No. 9), for the above-identified application in which the Examiner sets a three month shortened statutory period for reply which expires on January 14, 2002 (January 12, 2002 being a Saturday). Entry of the following Amendment and Remarks, without prejudice or disclaimer, is respectfully requested.

**IN THE CLAIMS**

Please amend claims 21, 23-25, 27, 43, and 44, without prejudice or disclaimer, as follows. A marked-up version of the claims is attached hereto.